

REMARKS/ARGUMENTS

Claims 17-24 are currently pending in this application, as amended. By the present amendment, claims 1 – 16 have been cancelled, and claims 17 – 24 have been added. Applicant submits that no new matter has been introduced into the application by these amendments.

In the Office Action mailed February 6, 2008, the Examiner rejected Claims 1 to 16. The rejections made were based on 35 USC 112 in relation to Claims 5, 8, 9, 12, 15 and 16; and 35 USC 102(b) in relation to Claims 1 to 16, in view of US 5,601,120 to Kuckart.

Applicant submits that claims 17 – 24 fully comply with 35 USC 112, and that none of them is anticipated by the cited reference US 5,601,120 to Kuckart. Applicant respectfully submits that each of the Examiner's objections is fully addressed and overcome by the amended claims, for the following reasons, presented in the order raised by the Examiner.

Rejection of Claims 5, 8, 9, 12, 15 and 16 under 35 USC 112

The Examiner's rejection was based on the presence of the term "third angle" in each of these claims. In new Claims 17 to 24, this term does not appear, thereby overcoming the Examiner's rejection.

Rejection of Claims 1 to 16 under 35 USC 102(b) as anticipated by US 5,601,120 to Kuckart

As a preliminary issue, the Examiner stated that Claim 1 was a very broad embodiment, and addressed his detailed comments to the more specific wording of independent Claim 2, on the ground that the rejections to Claim 2 would apply equally to Claim 1.

From page 3, line 3 to page 5, line 2 of the Office Action, the Examiner quotes portions of the description in the Kuckart reference, to identify the features disclosed therein, and asserts that the quoted statements "disclose many limitations of claims 1 and 2".

Applicant respectfully submits that new independent Claim 17 now clearly defines the features of the invention in such manner that it is readily and manifestly distinguishable from the teachings of the cited reference.

As can readily be seen from the figures and description in Kuckart, the reference teaches the use of stacked warp yarns, the ends of which are brought back under the same yarn, to form the loops, such as shown in Figures 1a, 1b, and 6a to 6d. As discussed in para. [0020] of the present application, the loops of one end of the fabric of Kuckart are interdigitated with those of the other end, so that only 50% of the warp yarns can be provided with seaming loops at either of the two ends, in order to create the space between loops for the interdigitation, as can be most clearly seen in Figure 1b.

In contrast, each of the stacked warp yarns of the invention can be looped. The cut end of one warp yarn is looped back so that once it is within the body of the fabric, i.e. after passing under at least one weft yarn, it is vertically under the path of an adjacent warp yarn, thus creating an angled path. Adjacent loops thus form pairs, which are drawn together such that one loop is inside the other, their looped portions being concentric. This angling creates the required spaces between the adjacent pairs of loops, such that when the two fabric ends are brought together, the loops of one end can be received in the approximately triangular spaces between opposing loops of the other end, the interdigitation allowing for the seam to be closed, for example by a pintle or coil. This manner of forming the loops, and the consequent spaces between them, allows for the looping of each of the warp yarns, with the resulting advantages, including strength of the eventual seam.

Applicant respectfully submits that these features are clearly not disclosed in the Kuckart reference.

The Examiner states, on page 5 of the Office Action, that “the reference structure is identical to the claimed structure. The reference fabrics end loops could be ‘bent’ to different angles as claimed. Nothing precludes the double endloops of adjacent MD yarns from being ‘bent’ to form different angles with adjacent MD endloops as claimed”. Applicant respectfully submits that yarns cannot simply be ‘bent’ to different angles at the seaming area without altering the characteristics of the fabric weave, and that the Kuckart reference does not teach any manner in which the cut ends of the looped warp yarns could feasibly be thus ‘bent’.

Applicant respectfully submits that the cited reference, directed at weave patterns in which the warp yarns are vertically stacked, does not teach or suggest any weave pattern for the

fabrics of the reference, in particular the seaming area, which would allow for the angling of the loops in any manner, much less in the manner of the present invention. Further, and more particularly, the cited reference does not teach the weaving of the looped cut ends under an adjacent warp yarn to produce the required angle, in the manner as claimed in new Claim 17 now presented.

Still further, the cited reference clearly does not teach any manner in which adjacent looped warp yarns can be angled such that they are “concentric”; the looping of the selected vertically stacked pairs in the reference cannot feasibly result in a loop of one yarn of a pair having a common centre with a yarn of an adjacent pair.

In this context, and specifically in relation to Claim 11, the Examiner quoted from column 4, lines 34 to 38 of the reference, to the effect that “providing inner loops for only half of the outer loops or less will still result in a substantially more durable seam”. Claim 11 was directed to the feature of half the warp yarns having “first angles” and half having “second angles”, i.e. all the warp yarns were looped. However, this claim has been cancelled and not replaced by equivalent wording in the new claims presented herewith. Applicant submits that this quoted passage does not teach, and thus anticipate, any feature currently claimed.

As noted above, in relation to the “third angle”, this feature does not appear in new Claims 17 to 24.

Conclusion

It is respectfully submitted that the application is in allowable condition. However, if any objections remain, the Examiner is respectfully requested to telephone the undersigned at the Examiner’s convenience with a view to resolving such objections as expeditiously as possible.

Early consideration and allowance of the pending claims is respectfully requested.

Respectfully Submitted,

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